

House File 54 - Introduced

HOUSE FILE 54

BY SALMON

A BILL FOR

1 An Act relating to voter qualifications for propositions to
2 authorize the issuance of bonds by school districts and
3 including effective date provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **296.5 Eligible electors.**

2 1. When a proposition to authorize the issuance of bonds by
3 a school district is submitted to the electors on or after July
4 1, 2019, and notwithstanding any contrary provision of chapters
5 48A, 49, and 53 or of the statute authorizing the issuance of
6 the bonds, each individual owning land within the boundaries
7 of the school district who is an eligible elector of the state
8 shall be eligible to vote on the proposition. An eligible
9 elector wishing to vote on a proposition under this section
10 shall register to vote in the elector's county of residence
11 and shall submit to the county commissioner of elections for
12 that county the record of title to land located, in whole or in
13 part, outside the boundaries of the county of residence. The
14 county commissioner of elections for the elector's county of
15 residence shall notify the county commissioner of elections for
16 any other county in which the registered voter is allowed to
17 vote under this section, and the notice shall include a copy
18 of the record of title.

19 2. A registered voter wishing to vote under this section
20 shall submit an application for an absentee ballot to the
21 county commissioner of elections of the county where the land
22 is located. After verifying receipt of the notification under
23 subsection 1 regarding the applicant, the county commissioner
24 shall mail the voter an absentee ballot. The absentee ballot
25 shall only consist of propositions to authorize the issuance of
26 bonds.

27 3. The affidavit marked on the affidavit envelope for an
28 absentee ballot mailed pursuant to this section shall be in
29 a form prescribed by the state commissioner of elections and
30 shall require the registered voter to attest to the registered
31 voter's continued qualifications to vote an absentee ballot
32 under this section.

33 Sec. 2. **EMERGENCY RULES.** The state commissioner of
34 elections may adopt emergency rules under section 17A.4,
35 subsection 3, and section 17A.5, subsection 2, paragraph "b",

1 to implement the provisions of this Act, and the rules shall
2 be effective immediately upon filing unless a later date is
3 specified in the rules. Any rules adopted in accordance with
4 this section shall also be published as a notice of intended
5 action as provided in section 17A.4.

6 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
7 immediate importance, takes effect upon enactment.

8 EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 This bill relates to voter qualifications for ballot
12 propositions to authorize the issuance of bonds in a school
13 district.

14 When a proposition to authorize the issuance of bonds by a
15 school district is submitted to the electors on or after July
16 1, 2019, each eligible elector who is a resident of the state
17 and who owns land within the boundaries of the school district
18 proposing to issue the bonds shall be eligible to vote on the
19 proposition by mailed absentee ballot.

20 The bill establishes registration, notification, and
21 application requirements related to the administration of
22 voting by a nonresident landowner and requires the state
23 commissioner of elections (secretary of state) to prescribe
24 the form of attestations marked on affidavit envelopes for
25 absentee ballots mailed to nonresident landowners. The bill
26 requires that the affidavit envelope include an attestation to
27 the registered voter's continued qualifications to vote in such
28 elections under the provisions of the bill.

29 The bill authorizes the state commissioner of elections
30 to adopt emergency rules to implement the provisions of the
31 bill, and the rules shall be effective immediately upon filing
32 unless a later date is specified in the rules. Additionally,
33 any rules adopted in accordance with the bill shall also be
34 published as a notice of intended action.

35 The bill takes effect upon enactment.